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MISSOULA, MT
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PATRICK E. DUFFY
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

KAARE D. GULBRANSON,)	CV 05-05-M-DWM
)	
Petitioner,)	
)	
vs.)	ORDER
)	
SHERIFF CASTLE/CPT. O'FALLEN,)	
Administrator,)	
)	
Respondents.)	
_____)	

United States Jeremiah C. Lynch entered Findings and Recommendation in this matter on September 1, 2006. Petitioner did not file objections and is therefore not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

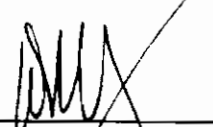
Judge Lynch concluded that Gulbranson's Petition (dkt. # 3) should be Dismissed and a certificate of appealability should be

Denied.

I find no clear error in Judge Lynch's Findings and Recommendation (dkt # 19) and I adopt them in full.

IT IS HEREBY ORDERED that Petitioner's Petition is DISMISSED and a certificate of appealability is DENIED.

DATED this 2nd day of October, 2006.



DONALD W. MOLLOY, CHIEF JUDGE
UNITED STATES DISTRICT COURT

